

STATE OF MICHIGAN  
COURT OF APPEALS

---

In the Matter of R.M.J., Minor.

---

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ELDORIA M. JONES,

Respondent-Appellant,

and

LEVESTER JONES,

Respondent.

.

---

UNPUBLISHED

January 14, 2003

No. 241211

Berrien Circuit Court

Family Division

LC No. 2000-000003-NA

Before: Meter, P.J., and Neff and Donofrio, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The minor child involved in this case is medically fragile and has many special needs. Although more than eighteen months had passed since the initial dispositional order, respondent-appellant did not have independent housing at the time of the termination hearing and admitted that she was living in housing that was inappropriate for the child. In addition, respondent-appellant failed to provide proper care and custody for the child by only sporadically exercising her parenting time while the child was in foster care. Respondent-appellant had not demonstrated the level of commitment required to care for this child with his many special needs. Finally, the evidence showed that there was a reasonable likelihood of harm if the child was returned to respondent-appellant given her lack of consistent care of the child and her plan to move the child to Wisconsin away from his established network of healthcare providers.

Furthermore, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Patrick M. Meter

/s/ Janet T. Neff

/s/ Pat M. Donofrio